

Senate Judiciary Committee Amendment # 1

Amendment No. 1 to SB0166

Beavers
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 166*

House Bill No. 482

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, Part 10, is amended by adding the following as a new, appropriately designated section:

SECTION _____. In any case in which the state of Tennessee, its counties or municipalities exercise the power of eminent domain under the provisions of this chapter and chapter 16 of this title or any other provision of law, and the condemning entity determines the property condemned or taken by eminent domain is not used for the purpose or purposes for which it was condemned or for some other authorized public use, or if the condemning entity subsequently decides to sell it within ten (10) years of being condemned or taken, the property shall be first offered for sale to the person or persons from whom the property was condemned or taken. The person from whom the property was condemned or taken shall have sixty (60) days in which to sign an agreement to purchase the property. If such person is no longer living, the property next shall be offered for sale to the person's ascertainable heirs or assigns who were living at the time the property was taken. If such property is not purchased by such heirs and assigns within sixty (60) days the property shall be offered for sale in any commercially reasonable manner to the general public. The property shall be sold for an amount not less than the fair market value, together with costs. The good faith effort by the condemning entity to locate and contact the original condemnee or heirs or assigns satisfies the requirements of this section and the sale shall be valid.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.